

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

PAUL MITCHELL,

Petitioner,

v.

BRIAN DUFFY, Warden,

Respondent.

Case No. [11-cv-02705-SBA](#) (PR)

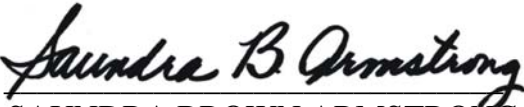
**ORDER GRANTING EXTENSION OF
TIME FOR PETITIONER TO FILE
OPPOSITION TO MOTION TO
DISMISS**

The Court recently reopened the instant action following Petitioner's filing of a first amended habeas petition that contains newly-exhausted claims. Dkt. 77. The Court directed Respondent to file an answer to the amended petition and granted Petitioner leave to file a traverse no later than sixty days after the answer was filed. Dkt. 77. Petitioner then filed a renewed motion for appointment of counsel which the Court denied. Dkt. 79, 81.

On May 26, 2015, Respondent filed a motion to dismiss in lieu of filing an answer. Dkt. 80. Petitioner has not filed an opposition to the motion to dismiss and the time for doing so has since passed. In the interests of justice, the Court sua sponte GRANTS Petitioner an extension of time in which to file his opposition. The time in which Petitioner may file his opposition will be extended up to and including **twenty-eight (28) days** from the date of this Order. Respondent shall file a reply brief no later than **fourteen (14) days** after the date Petitioner's opposition is filed. **No further extensions of time will be granted in this case absent exigent circumstances.**

IT IS SO ORDERED.

Dated: 7/23/15


SAUNDRA BROWN ARMSTRONG
United States District Judge